

Applicant or Patentee:

Wie et al.

Serial or Patent No:

Filed or Issued:

For: NON-INVASIVE POWERLINE COMMUNICATIONS SYSTEM

08/741,597  
Attorney's

Docket No: FM-147J

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Foster-Miller, Inc.

ADDRESS OF CONCERN: 350 Second Avenue

Waltham, Massachusetts 02154-1196

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of the persons employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled NON-INVASIVE POWERLINE COMMUNICATIONS SYSTEM, by inventor(s) Richard M. Wiesman, Timothy J. Mason, and Gary R. Bastarache, described in

the specification filed herewith

application serial no. \_\_\_\_\_, filed \_\_\_\_\_

patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name \_\_\_\_\_

Address \_\_\_\_\_

Individual

Small Business Concern

Nonprofit Organization

Name \_\_\_\_\_

Address \_\_\_\_\_

Individual

Small Business Concern

Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date of which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Richard M. Wiesman

TITLE OF PERSON SIGNING

Vice President

ADDRESS OF PERSON SIGNING

350 Second Ave.

SIGNATURE

Waltham, MA 02254

DATE 10/31/96

COMBINED DECLARATION AND POWER OF ATTORNEY  
IN ORIGINAL APPLICATIONAttorney Docket No.  
FM-147J

08/741,597

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: **NON-INVASIVE POWERLINE COMMUNICATIONS SYSTEM** described and claimed in the attached specification, that I understand the content of the attached specification, that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is known to be material to patentability in accordance with 37 CFR 1.56, and that I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:  
**None.**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Joseph S. Iandiorio Kirk Teska  
Reg. No. 23,095 Reg. No. 36,291

Address all telephone calls to Joseph S. Iandiorio or Kirk Teska at (617) 890-5678.

Address all correspondence to Iandiorio & Teska, 260 Bear Hill Road, Waltham, MA 02154.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of 1st or sole inventor <b>Richard M. Wiesman</b>	Inventor's signature 	Date <b>10/31/96</b>
Residence <b>21 High Rock Road, Wayland, Massachusetts 01778</b>	Citizenship <b>U.S.A.</b>	
Post office address <b>21 High Rock Road, Wayland, Massachusetts 01778</b>		
Full name of 2nd inventor <b>Timothy J. Mason</b>	Inventor's signature 	Date <b>10/31/96</b>
Residence <b>12 West River Road, Uxbridge, Massachusetts 01569</b>	Citizenship <b>U.S.A.</b>	
Post office address <b>12 West River Road, Uxbridge, Massachusetts 01569</b>		
Full name of 3rd inventor <b>Gary R. Bastarache</b>	Inventor's signature 	Date <b>10/31/96</b>
Residence <b>86 Hampstead Place, Athol, Massachusetts 01331</b>	Citizenship <b>U.S.A.</b>	
Post office address <b>86 Hampstead Place, Athol, Massachusetts 01331</b>		

## ASSIGNMENT

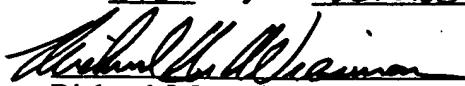
For valuable consideration, we, Richard M. Wiesman, residing at 21 High Rock Road, Wayland, Massachusetts 01778; Timothy J. Mason, residing at 12 West River Road, Uxbridge, Massachusetts 01569; and Gary R. Bastarache, residing at 86 Hampstead Place, Athol, Massachusetts 01331, (hereinafter "the Assignors"), hereby assign to Foster-Miller, Inc., a Massachusetts corporation having its principal place of business at 350 Second Avenue, Waltham, Massachusetts 02154-1196, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are the subject of an application for United States Patent filed on even date herewith entitled

### **NON-INVASIVE POWERLINE COMMUNICATIONS SYSTEM**

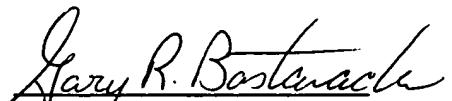
this assignment including said United States patent and any and all foreign patents granted for said inventions or improvements; and we agree for ourselves and our heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, preliminary statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

In Witness Whereof, we hereto set our hands and seals at WALTHAM, MA

this 31st day of OCTOBER, 1996

  
Richard M. Wiesman

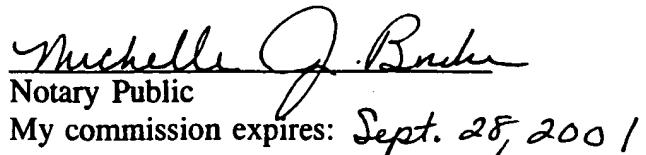
  
Timothy J. Mason

  
Gary R. Bastarache

Commonwealth of Massachusetts      }  
                                        }  
County of Middlesex              }

Before me this 31st day of October, 1996 personally appeared Richard M. Wiesman, Timothy J. Mason, and Gary R. Bastarache, known to me to be the persons whose names are subscribed to the foregoing assignment and acknowledged that they executed the same as their free act and deed for the purposes therein contained.

[Notary's  
seal here]

  
Michelle J. Brucker  
Notary Public  
My commission expires: Sept. 28, 2001



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 17, 1997

PTAS

IANDIORIO & TESKA  
KIRK TESKA  
260 BEAR HILL ROAD  
WALTHAM, MA 02154



\*100337694A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/01/1996

REEL/FRAME: 8297/0936  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WIESMAN, RICHARD M.

DOC DATE: 10/31/1996

ASSIGNOR:

MASON, TIMOTHY J.

DOC DATE: 10/31/1996

ASSIGNOR:

BASTARACHE, GARY R.

DOC DATE: 10/31/1996

ASSIGNEE:

FOSTER-MILLER, INC.  
350 SECOND AVENUE  
WALTHAM, MASSACHUSETTS 02154-1196

SERIAL NUMBER: 08741597  
PATENT NUMBER:

FILING DATE: 11/01/1996  
ISSUE DATE:

8297/0936 PAGE 2

SEDLEY PYNE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



01-15-1997

F



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SHEET  
*AB*

0874158497

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies): **MRD 11-1-96**

Richard M. Wiesman  
Timothy J. Mason  
Gary R. Bastarache

Additional names of conveying parties attached?  Yes  No

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution date: October 31, 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: November 1, 1996

A. Patent Application No.(s)

B. Patent No.(s)

67834 U.S. PTO



01/14/97

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Iandiorio & Teska  
260 Bear Hill Road  
Waltham, MA 02154

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: 09-0002

DO NOT USE THIS SPACE

Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

070 HP 11/26/96 0874158497

1 581

40.00 CK

Kirk Teska  
Name of person signing

Signature

Date  
*11-1-96*

Attorney Docket No: FM-147J

Total number of pages including cover sheet, attachments, and document: 2

EXPRESS MAIL CERTIFICATE NO.: EM470554841US

## ASSIGNMENT

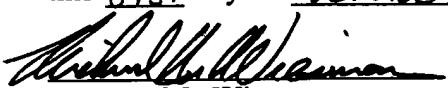
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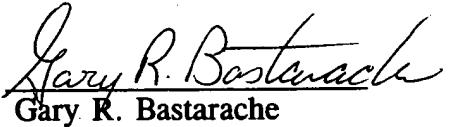
this assignment including said United States patent and any and all foreign patents granted for said inventions or improvements; and we agree for ourselves and our heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, preliminary statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

In Witness Whereof, we hereto set our hands and seals at WALTHAM, MA

this 31st day of OCTOBER, 1996

  
Richard M. Wiesman

  
Timothy J. Mason

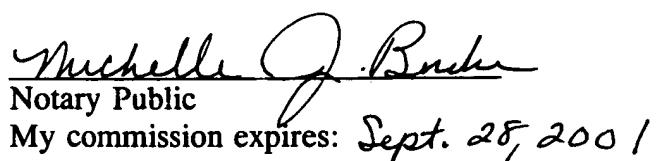
  
Gary R. Bastarache

Commonwealth of Massachusetts }

County of Middlesex }

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[Notary's  
seal here]

  
Notary Public  
My commission expires: Sept. 28, 2001